

Atty Matlak, Steven M., of Dowling Aaron Inc. (for Petitioner Bruce D. Bickel, Trustee)

Petition for Settlement of First Account Current and Report of Trustee; and for Approval of Attorney's Fees and Costs

Age: 9 years		BRUCE D. BICKEL , Trustee of the AIDAN O'CONNOR SPECIAL NEEDS TRUST established 3/20/2012, is Petitioner.	NEEDS/PROBLEMS/COMMENTS:
			Note: Court will set a status hearing as follows:
Cont. from		Account period: 3/20/2012 – 1/15/2013	<ul style="list-style-type: none"> Friday, June 12, 2015 at 9:00 a.m. in Dept. 303 for filing of the second account.
<input type="checkbox"/>	Aff.Sub.Wit.	Accounting - \$222,197.79	
<input checked="" type="checkbox"/>	Verified	Beginning POH - \$222,197.79	
<input type="checkbox"/>	Inventory	Ending POH - \$216,161.89	
<input type="checkbox"/>	PTC	Trustee - not requested	Pursuant Local Rule 7.5, if the document noted above is filed 10 days prior to the dates listed, the hearing will be taken off calendar and no appearance will be required.
<input type="checkbox"/>	Not.Cred.		
<input checked="" type="checkbox"/>	Notice of Hrg	Attorney - \$2,620.50	~Please see additional page~
<input checked="" type="checkbox"/>	Aff.Mail W/	(per Declaration filed 3/21/2013, itemized on Exhibit B, period from 12/2/2011 – 1/28/2013 for 14.30 hours @ attorney/paralegal rates from \$330.00 to \$75.00; includes \$200 costs.)	
<input type="checkbox"/>	Aff.Pub.	Bond - \$276,110.69	
<input type="checkbox"/>	Sp.Ntc.	(sufficient)	
<input type="checkbox"/>	Pers.Serv.	Petitioner states:	
<input type="checkbox"/>	Conf. Screen	<ul style="list-style-type: none"> As a result of the Litigation Settlement in Los Angeles Superior Court, the Trust received [\$222,197.79] in cash, and an annuity was purchased issued by Metropolitan Life, Inc., in the amount of \$1,100,000.00, which will pay \$3,750.81 monthly for life beginning 2/20/2014 (copy of annuity attached as Exhibit B); 	
<input type="checkbox"/>	Letters	<ul style="list-style-type: none"> Petitioner has not kept all cash invested in interest-bearing accounts, as he was able to open a free checking account at Yosemite Bank without any monthly charges only if no interest were to accrue; it was determined that if Petitioner opened an interest-bearing checking account, the service charges would be in excess of the earned interest; 	
<input type="checkbox"/>	Duties/Supp	~Please see additional page~	
<input type="checkbox"/>	Objections		Reviewed by: LEG
<input type="checkbox"/>	Video Receipt		Reviewed on: 4/2/13
<input type="checkbox"/>	CI Report		Updates: 4/8/13
<input checked="" type="checkbox"/>	2620		Recommendation:
<input checked="" type="checkbox"/>	Order		File 1 – O'Connor
<input type="checkbox"/>	Aff. Posting		
<input type="checkbox"/>	Status Rpt		
<input type="checkbox"/>	UCCJEA		
<input type="checkbox"/>	Citation		
<input type="checkbox"/>	FTB Notice		

Petitioner states, continued:

- Petitioner initially held the money at the Yosemite Bank checking account to provide flexibility for quicker withdrawals while Petitioner familiarized himself with Aidan's financial needs; within the last year, Petitioner has evaluated the financial needs of Aidan, and based thereon, intends to move the bulk of the money into longer-term investments with Merrill Lynch within the next month for a better return to the Special Needs Trust;
- On 3/20/2012, the Court authorized Petitioner as Trustee to receive payments of fees each month at the rate of **\$150.00** per hour for services rendered in connection with the administration of the Trust, but not to exceed **\$1,000.00** in any given month, with reimbursement for any excess fees of **\$1,000.00** requiring Court approval; at this time, there is no excess requested from Petitioner.

Petitioner prays for an Order:

1. Approving, allowing and settling the First Account and Report of the Trustee, and ratifying, approving and confirming all acts and transactions of the Petitioner as Trustee set forth in the account;
2. Authorizing and directing Petitioner to pay the Attorney fees and reimbursement of costs; and
3. Authorizing Petitioner to pay the annual premium for the bond [of ~ **\$1,091.00**] from the cash assets of the Trust estate without further Court order.

Note re Expenditures for Special Needs: *Petition for Order Establishing Special Needs Trust* filed 12/14/2011 for the establishment of this SNT states that Aidan was diagnosed with Autistic Disorder, has a considerable disability with low intellectual abilities and motor skills, and will require continued multiagency collaboration and treatment as he faces greater demands (please refer to Exhibit A attached to said *Petition* for a copy of Medical Report of Howard Glidden, Ph.D.) Schedule D, Disbursements as part of the instant *Petition* shows a total of **\$6,035.90** was disbursed in May 2012 from the SNT assets during this account period, which amount was expended for court-approved attorney fees (**\$4,895.00**), bond premium (**\$1091.00**), and check printing costs (**\$49.90**). (No Trustee fees have been paid or are requested in the instant *Petition*.) The instant *Petition* states within the last year, Petitioner has evaluated the financial needs of Aidan, and based upon that evaluation, intends to move the bulk of the money into longer-term investments. In light of the fact that the monthly annuity payments to Aidan will not commence until **2/20/2014**, the Court may require further information regarding the financial needs of the Beneficiary as determined by the Petitioner, and whether any expenditures for the Beneficiary's special needs are anticipated from the current property on hand, based upon Petitioner's plan to place the funds into long-term investments that might restrict the Trustee's ability to make expenditures for the Beneficiary's special needs when necessary. (Note: Declaration of Steven M. Matlak filed 4/8/13 provides further information, noted on additional page.)

Note re Workers' Compensation Benefits: Minute Order dated 1/31/2012 from the hearing on the *Petition for Order Establishing Special Needs Trust* states, in pertinent part, that Mr. Matlak notes Aidan is entitled to workers' compensation benefits and his firm has hired an attorney who specializes in workers' compensation claims. Exhibit B attached to the Declaration of Steven M. Matlak in Support of Request for Attorney's Fees and Costs filed 2/21/2013 contains one entry dated 1/25/2012 stating "Telephone conference with Mr. Bell regarding workers' compensation benefits in relation to the special needs trust." The instant *Petition* filed 2/21/2013 is silent regarding the status of the workers' compensation benefits to which the Beneficiary is entitled as Attorney Matlak indicated to the Court on 1/31/2012. Court may require further information regarding the status of the workers' compensation benefits claim pursued on behalf of the SNT Beneficiary. (Note: Declaration of Steven M. Matlak filed 4/8/13 states the workers' compensation attorney determined that no workers' compensation benefits were available to Aidan.)

~Please see additional page~

Declaration of Steven M. Matlak in Support of Petition for Settlement of First Account Current and Report of Trustee; and for Approval of Attorney's Fees and Costs filed 4/8/2013 states:

- For clarification regarding the financial needs of Aidan, while the Trustee intends to move the bulk of the Trust assets into longer-term investments, the Trustee will maintain sufficient liquid assets to meet Aidan's needs;
- The majority of Aidan's special needs are currently being met by his school district; the Trustee intends to use some funds to fill in some minor gaps in services in the near future; in this regard the Trustee has met with Aidan's mother, and developed some plans for the use of some of the funds;
- If an emergency arises requiring access to some of the assets held in longer-term investments, such investments will remain convertible to cash without much difficulty;
- As he has with many of his other Trust accounts, the Trustee has hired Scott McDonald, Senior Vice President of Investments at Merrill Lynch Wealth Management, to manage the long-term investment account;
- Mr. McDonald specializes in managing SNT accounts under the limits imposed by the California Probate Code, and he is recognized state-wide for his expertise in this area;
- Mr. McDonald was a contributing author to a discussion on proper SNT investments in the CEB book on SNTs, a leading book used by SNT practitioner's throughout the state;
- A workers' compensation attorney determined that no workers' compensation benefits were available to Aidan.

Age: 17		JOANNE SANOIAN , Petitioner, represents Guardians of the Person and the Guardian of the Estate of the minor Rafael De La Mora.	NEEDS/PROBLEMS/COMMENTS: Minute Order 3-5-13: Counsel is directed to submit a declaration regarding the fees. <u>Declaration filed 4-4-13 details the case history, time spent, and work performed, but does not appear to address the following items that were previously noted:</u> 1. Pursuant to Probate Code §2640(a), a petition for attorney fees may be brought after the filing of the I&A, or any other period of time as the court for good cause orders. In this case, only a <u>partial</u> I&A has been filed. The Court may require clarification regarding good cause for bringing this petition prior to the filing of the Final I&A, and also prior to the filing of the first account, as is usual practice in this Court pursuant to Local Rule 7.16. 2. Petitioner states the sum of \$117,353.88 is currently on deposit, and this amount is reflected on the Partial I&A filed 12.18.12. With reference to §2640 and #1 above, the Court may require further information for <i>this file</i> regarding what additional assets are expected for each minor. (The original petition indicated \$0 for the estimated estate value.) At this time, a status hearing is set for 12-6-13 re: receipt of assets from estate. 3. Need Order, plus Order for Withdrawal of Funds from Blocked Account (MC-358).
Cont. from 030513			
Aff.Sub.Wit.			
✓ Verified			
Inventory			
PTC			
Not.Cred.			
✓ Notice of Hrg			
✓ Aff.Mail	W		
Aff.Pub.			
Sp.Ntc.		Petitioner asks that she be paid a total of \$12,535.00 (\$4,178.50 from each minor's estate) for her services to the guardians, including establishment of temporary and permanent guardianships for all three minors, preparations of guardianship questionnaires for each of the guardians, attendance at hearings, office and telephone conferences with clients regarding distributions to the minors, telephone conferences and email correspondence with other attorneys related to the matter, preparation of Response to Amended Petition for Visitation, preparation of application for Primerica life insurance proceeds, preparation of orders and receipts for deposits of money into blocked accounts. Petitioner states the sum of \$117,353.88 is currently on deposit in this guardianship estate account.	
Pers.Serv.			
Conf. Screen			
Letters			
Duties/Supp			
Objections			
Video Receipt			
CI Report			
9202			
Order	X		
Aff. Posting		Attorney Joanne Sanoian: 11.40 hours @ \$300/hr (\$3,420) Associate Lisa Horton: 31.30 hours @ \$200/hr (\$6,260) Paralegal 28.55 hours @ \$100/hr (\$2,855) Note: Costs (reimbursement for filing fees) are not requested from Rafael's estate; however, filing cost of \$105.15 is requested from Francisco's estate, and \$435 is requested from Fernando's estate.	
Status Rpt			
UCCJEA			
Citation			
FTB Notice			
		Reviewed by: skc Reviewed on: 4-3-13 Updates: 4-4-13 Recommendation: File 2 – De La Mora	

Petition for Attorney Fees and Reimbursement for Costs Advanced

Age: 15		<p>JOANNE SANOIAN, Petitioner, represents Guardians of the Person and the Guardian of the Estate of the minor Francisco De La Mora.</p> <p>Delia Gonzalez, Rafael De La Mora Martin, and Maria De Jesus Gomez Munoz were appointed Co-Guardians of the Person, and Delia Gonzalez was appointed Guardian of the Estate, on 10-31-12.</p> <p>Petitioner asks that she be paid a total of \$12,535.00 (\$4,178.50 from each minor's estate) for her services to the guardians, including establishment of temporary and permanent guardianships for all three minors, preparations of guardianship questionnaires for each of the guardians, attendance at hearings, office and telephone conferences with clients regarding distributions to the minors, telephone conferences and email correspondence with other attorneys related to the matter, preparation of Response to Amended Petition for Visitation, preparation of application for Primerica life insurance proceeds, preparation of orders and receipts for deposits of money into blocked accounts. Petitioner states the sum of \$117,353.88 is currently on deposit in this guardianship estate account.</p> <p>Attorney Joanne Sanoian: 11.40 hours @ \$300/hr (\$3,420)</p> <p>Associate Lisa Horton: 31.30 hours @ \$200/hr (\$6,260)</p> <p>Paralegal 28.55 hours @ \$100/hr (\$2,855)</p> <p><u>Note:</u> Costs (reimbursement for filing fees) are not requested from Rafael's estate; however, filing cost of \$105.15 is requested from Francisco's estate, and \$435 is requested from Fernando's estate.</p>	NEEDS/PROBLEMS/COMMENTS:	
			<p>Minute Order 3-5-13: Counsel is directed to submit a declaration regarding the fees.</p> <p><u>Declaration filed 4-4-13 details the case history, time spent, and work performed, but does not appear to address the following items that were previously noted:</u></p> <p>4. Pursuant to Probate Code §2640(a), a petition for attorney fees may be brought after the filing of the I&A, or any other period of time as the court for good cause orders. In this case, only a <u>partial</u> I&A has been filed.</p> <p>The Court may require clarification regarding good cause for bringing this petition prior to the filing of the Final I&A, and also prior to the filing of the first account, as is usual practice in this Court pursuant to Local Rule 7.16.</p> <p>5. Petitioner states the sum of \$117,353.88 is currently on deposit, and this amount is reflected on the Partial I&A filed 12.18.12. With reference to §2640 and #1 above, the Court may require further information for <i>this file</i> regarding what additional assets are expected for each minor. (The original petition indicated \$0 for the estimated estate value.) At this time, a status hearing is set for 12-6-13 re: receipt of assets from estate.</p> <p>6. Need Order, plus Order for Withdrawal of Funds from Blocked Account (MC-358).</p>	
Cont. from 030513				
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<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input type="checkbox"/>	Order	X		
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

Age: 13		<p>JOANNE SANOIAN, Petitioner, represents Guardians of the Person and the Guardian of the Estate of the minor Fernando De La Mora.</p> <p>Delia Gonzalez, Rafael De La Mora Martin, and Maria De Jesus Gomez Munoz were appointed Co-Guardians of the Person, and Delia Gonzalez was appointed Guardian of the Estate, on 10-31-12.</p> <p>Petitioner asks that she be paid a total of \$12,535.00 (\$4,178.50 from each minor's estate) for her services to the guardians, including establishment of temporary and permanent guardianships for all three minors, preparations of guardianship questionnaires for each of the guardians, attendance at hearings, office and telephone conferences with clients regarding distributions to the minors, telephone conferences and email correspondence with other attorneys related to the matter, preparation of Response to Amended Petition for Visitation, preparation of application for Primerica life insurance proceeds, preparation of orders and receipts for deposits of money into blocked accounts. Petitioner states the sum of \$117,353.88 is currently on deposit in this guardianship estate account.</p> <p>Attorney Joanne Sanoian: 11.40 hours @ \$300/hr (\$3,420)</p> <p>Associate Lisa Horton: 31.30 hours @ \$200/hr (\$6,260)</p> <p>Paralegal 28.55 hours @ \$100/hr (\$2,855)</p> <p><u>Note:</u> Costs (reimbursement for filing fees) are not requested from Rafael's estate; however, filing cost of \$105.15 is requested from Francisco's estate, and \$435 is requested from Fernando's estate.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>Minute Order 3-5-13: Counsel is directed to submit a declaration regarding the fees.</p> <p><u>Declaration filed 4-4-13 details the case history, time spent, and work performed, but does not appear to address the following items that were previously noted:</u></p> <p>7. Pursuant to Probate Code §2640(a), a petition for attorney fees may be brought after the filing of the I&A, or any other period of time as the court for good cause orders. In this case, only a <u>partial</u> I&A has been filed.</p> <p>The Court may require clarification regarding good cause for bringing this petition prior to the filing of the Final I&A, and also prior to the filing of the first account, as is usual practice in this Court pursuant to Local Rule 7.16.</p> <p>8. Petitioner states the sum of \$117,353.88 is currently on deposit, and this amount is reflected on the Partial I&A filed 12.18.12. With reference to §2640 and #1 above, the Court may require further information for this file regarding what additional assets are expected for each minor. (The original petition indicated \$0 for the estimated estate value.) At this time, a status hearing is set for 12-6-13 re: receipt of assets from estate.</p> <p>9. Need Order, plus Order for Withdrawal of Funds from Blocked Account (MC-358).</p>
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<input type="checkbox"/> Aff.Pub.			
<input type="checkbox"/> Sp.Ntc.			
<input type="checkbox"/> Pers.Serv.			
<input type="checkbox"/> Conf. Screen			
<input type="checkbox"/> Letters			
<input type="checkbox"/> Duties/Supp			
<input type="checkbox"/> Objections			
<input type="checkbox"/> Video Receipt			
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<input type="checkbox"/> 9202			
<input type="checkbox"/> Order	X		
<input type="checkbox"/> Aff. Posting			
<input type="checkbox"/> Status Rpt			
<input type="checkbox"/> UCCJEA			
<input type="checkbox"/> Citation			
<input type="checkbox"/> FTB Notice			

**Petition for Letters of Administration; Authorization to Administer Under the
Independent Administration of Estate Act**

DOD: 3/20/12		STEVEN W. SOUZA , son, is petitioner and requests appointment as Administrator without bond. Full IAEA – o.k. Decedent died intestate. Residence: Clovis Publication: Fresno Business Journal Estimated value of the Estate: Real property - \$275,000.00 Probate Referee: Steven Diebert	NEEDS/PROBLEMS/COMMENTS: 1. Need waiver of bond from surviving spouse, Manuel Souza, Sr. or bond set at \$225,000.00 <u>Note:</u> If the petition is granted, status hearings will be set as follows: <ul style="list-style-type: none"> Friday, September 6, 2013 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Friday, June 6, 2014 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.
Cont. from			
	Aff.Sub.Wit.		
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	9202		
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	Aff. Posting		
	Status Rpt		
	UCCJEA		
	Citation		
	FTB Notice		

Reviewed by: KT
Reviewed on: 4/2/13
Updates: 4/8/13
Recommendation:
File 5 - Souza

Atty O'Grady, John E., of O'Grady Law Group, San Francisco (for Petitioner Aspen Bell)

Petition for Probate of Will and for Letters Testamentary; Authorization to Administer Under IAEA (Prob. C. 8002, 10450)

DOD: 11/27/2012	ASPEN BELL , daughter and named Co-Executor without bond, is Petitioner. (Named Co-Executors decline to act and waive bond.)		NEEDS/PROBLEMS/COMMENTS: Continued from 3/19/2013. Minute Order states the Court notes for the minute order that there is no appearance by counsel telephonically or otherwise. Matter continued to 4/9/2013. The following note from the last hearing remains: Note: Proposed personal representative is a resident of Greenwood, Delaware. Court may require bond if the proposed personal representative resides outside California or for other good cause, even if the will waives bond, pursuant to California Rule of Court 7.201 (b) and Probate Code § 8571. Court may require Petitioner to post bond in the sum of \$215,980.00 . Note: If petition is granted, Court will set status hearings as follows: <ul style="list-style-type: none"> Friday, May 10, 2013 at 9:00 a.m. in Dept. 303 for filing proof of bond, <u>if Court requires bond</u>; Friday, September 13, 2013 at 9:00 a.m. in Dept. 303 for filing of inventory and appraisal; and Friday, June 13, 2014 at 9:00 a.m. in Dept. 303 for filing of first account and/or petition for final distribution. Pursuant Local Rule 7.5, if the documents noted above are filed 10 days prior to the dates listed, the hearings will be taken off calendar and no appearance will be required.
Cont. from 031913	Full IAEA – O.K.		
<input type="checkbox"/> Aff.Sub.Wit.	<input type="checkbox"/> S/ <input type="checkbox"/> P		
<input checked="" type="checkbox"/> Verified	<input type="checkbox"/>	Will Dated: 5/23/1997	
<input type="checkbox"/> Inventory	<input type="checkbox"/>		
<input type="checkbox"/> PTC	<input type="checkbox"/>		
<input type="checkbox"/> Not.Cred.	<input type="checkbox"/>	Residence: Fresno	
<input checked="" type="checkbox"/> Notice of Hrg	<input type="checkbox"/>	Publication: The Business Journal	
<input checked="" type="checkbox"/> Aff.Mail	<input type="checkbox"/> W <input type="checkbox"/> / <input type="checkbox"/> O		
<input checked="" type="checkbox"/> Aff.Pub.	<input type="checkbox"/>	Estimated value of the Estate:	
<input type="checkbox"/> Sp.Ntc.	<input type="checkbox"/>	Real property -	\$165,000.00
<input type="checkbox"/> Pers.Serv.	<input type="checkbox"/>	Personal property -	\$ 47,500.00
<input type="checkbox"/> Conf. Scrn	<input type="checkbox"/>	Annual income from PP -	\$ 3,840.00
<input type="checkbox"/> Aff. Posting	<input type="checkbox"/>	Total	\$215,980.00
<input checked="" type="checkbox"/> Duties/S	<input type="checkbox"/>		
<input type="checkbox"/> Objections	<input type="checkbox"/>	Probate Referee: Rick Smith	
<input type="checkbox"/> Video Receipt	<input type="checkbox"/>		
<input type="checkbox"/> CI Report	<input type="checkbox"/>		
<input type="checkbox"/> 9202	<input type="checkbox"/>		
<input checked="" type="checkbox"/> Order	<input type="checkbox"/>		
<input checked="" type="checkbox"/> Letters	<input type="checkbox"/>		
<input type="checkbox"/> Status Rpt	<input type="checkbox"/>		
<input type="checkbox"/> UCCJEA	<input type="checkbox"/>		
<input type="checkbox"/> Citation	<input type="checkbox"/>		
<input type="checkbox"/> FTB Notice	<input type="checkbox"/>		
			Reviewed by: LEG
			Reviewed on: 3/29/13
			Updates:
			Recommendation:
			File 6 - Gintz

Petition to Determine Succession to Real Property (Prob. C. 13151)

DOD: 11/15/12		<p>PAMELA LASSWELL, successor Trustee of the Morris E. Linder Revocable Living Trust, is Petitioner.</p> <p>40 day form DOD.</p> <p>No other proceedings.</p> <p>Will dated: 4/19/1996 devises entire estate to the Morris E. Linder Revocable Living Trust.</p> <p>I & A - \$27,500.00</p> <p>Petitioner requests court determination that Decedent's 100% interest in real property located at 3319 S. Cherry Avenue in Fresno passes to her as Trustee of the successor Trustee of the Morris E. Linder Revocable Living Trust.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p>	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
<input checked="" type="checkbox"/>	Verified			
<input checked="" type="checkbox"/>	Inventory			
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<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input type="checkbox"/>	Letters			
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<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
<p>Reviewed by: KT</p> <p>Reviewed on: 4/2/13</p> <p>Updates:</p> <p>Recommendation: SUBMITTED</p> <p>File 7 - Linder</p>				

**Petition for Probate of Will and for Letters Testamentary; Authorization to
Administer Under IAEA (Prob. C. 8002, 10450)**

DOD: 12/19/2013		FRANK MILLIGAN , named executor without bond, is petitioner. Full IAEA – o.k. Will dated: 1/15/1999 Residence: Fresno Publication: Fresno Business Journal	NEEDS/PROBLEMS/COMMENTS: <u>Note:</u> If the petition is granted, status hearings will be set as follows: <ul style="list-style-type: none"> Friday, September 6, 2013 at 9:00 a.m. in Department 303, for the filing of the inventory and appraisal. Friday, June 6, 2014 at 9:00 a.m. in Department 303, for the filing of the first account or petition for final distribution. Pursuant to Local Rule 7.5 if the required documents are filed 10 days prior the date set the status hearing will come off calendar and no appearance will be required.	
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			S/P
<input checked="" type="checkbox"/>	Verified			
<input type="checkbox"/>	Inventory			
<input type="checkbox"/>	PTC			
<input type="checkbox"/>	Not.Cred.			
<input type="checkbox"/>	Notice of Hrg			
<input checked="" type="checkbox"/>	Aff.Mail	W/O		
<input type="checkbox"/>	Aff.Pub.			
<input type="checkbox"/>	Sp.Ntc.			
<input type="checkbox"/>	Pers.Serv.			
<input type="checkbox"/>	Conf. Screen			
<input checked="" type="checkbox"/>	Letters			
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<input type="checkbox"/>	Video Receipt			
<input type="checkbox"/>	CI Report			
<input type="checkbox"/>	9202			
<input checked="" type="checkbox"/>	Order			
<input type="checkbox"/>	Aff. Posting			
<input type="checkbox"/>	Status Rpt			
<input type="checkbox"/>	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			
		Estimated Value of the Estate: Personal Property - \$ 42,000.00 Annual Income - \$ 2,000.00 Real property - <u>\$125,000.00</u> Total - \$169,000.00		
		Probate Referee – Steven Diebert		
			Reviewed by: KT Reviewed on: 4/2/13 Updates: Recommendation: SUBMITTED File 8 - Wisener	

Petition to Determine Succession to Real and Personal Property (Prob. C. 13151)

DOD: 11/18/2011		MANUEL ALEZ CAMARENA , son, is petitioner.	NEEDS/PROBLEMS/COMMENTS: 1. Petition requests that personal property also pass to the petitioner however there is no personal property listed in the petition or on the inventory and appraisal. (Note: Order passes the household furniture and furnishings. The court cannot pass property that has not been inventoried.) 2. #9a(1) or 9a(2) of the petition was not answered re: spouse/no spouse. 3. #9a(3) or 9a(4) of the petition was not answered re: registered domestic partner/no registered domestic partner. 4. Inventory and Appraisal is incomplete. <ul style="list-style-type: none">It does not include the date of death of the Decedent.#3 does not indicate if the property listed is all or a portion of the estate.#5 does not include the property tax certificate 5. Attachment #11 does not include the decedent's interest in the property. 6. There is no record that the original Will has been deposited with the Court. Probate Code §8200
		40 days since DOD.	
		No other proceedings.	
Cont. from		Will dated: 9/11/2008 devises the entire estate to decedent's son, Manuel Alex Camarena.	
	Aff.Sub.Wit.		
✓	Verified		
✓	Inventory		
	PTC	X	
	Not.Cred.		
	Notice of Hrg	N/A	
	Aff.Mail		
	Aff.Pub.		
	Sp.Ntc.		
	Pers.Serv.		
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	Citation		
	FTB Notice		
		I & A - \$110,000.00	
		Petitioner requests court determination that real property located at 2968 E. Santa Ana in Fresno passes to him pursuant to Decedent's Will.	
Reviewed by: KT			
Reviewed on: 4/2/13			
Updates:			
Recommendation:			
File 9 - Chavez			

Atty DeMeo, Sandra B., sole practitioner of Huntington Beach (self-represented Administrator)

(1) First and Final Account and Report of Administrator and (2) Petition for Distribution of Insolvent Estate to Creditor

DOD: 3/20/2010		<p>SANDRA B. DeMEO, Administrator appointed 7/14/2011 with Limited IAEA authority, is Petitioner.</p> <p>Account period: 3/20/2010 – 12/1/2012</p> <table> <tr> <td>Accounting</td> <td>-</td> <td>\$55,215.69</td> </tr> <tr> <td>Beginning POH</td> <td>-</td> <td>\$55,000.00</td> </tr> <tr> <td>Ending POH</td> <td>-</td> <td>\$45,392.50 (all cash)</td> </tr> <tr> <td>Administrator</td> <td>-</td> <td>\$2,148.63 (statutory)</td> </tr> <tr> <td>Administrator XO</td> <td>-</td> <td>\$3,300.00 (per itemization attached as Exhibit B, for 11.0 hours @ \$300/hour for court-confirmed sale of real property)</td> </tr> </table> <p>Petitioner requests she be authorized to remit the balance on hand in the estate, after payment of costs of administration, to the Department of Health Care Services, based upon the following:</p> <ul style="list-style-type: none"> • Creditor's Claim for \$67,369.94 was filed 5/17/2011 by the Department of Health Care Services; • Prior to filing of the <i>Petition for Probate</i>, the Administrator attempted to surrender the Decedent's real property directly to the Department of Health Care Services; • However, the Department requested that a probate proceeding be commenced; • The assets of the estate are not sufficient to pay the claim in full. <p>Distribution is to the Department of Health Care Services in partial satisfaction of the Creditor's Claim – \$39,943.87 cash.</p>	Accounting	-	\$55,215.69	Beginning POH	-	\$55,000.00	Ending POH	-	\$45,392.50 (all cash)	Administrator	-	\$2,148.63 (statutory)	Administrator XO	-	\$3,300.00 (per itemization attached as Exhibit B, for 11.0 hours @ \$300/hour for court-confirmed sale of real property)	<p>NEEDS/PROBLEMS/COMMENTS:</p> <p>1. Need proposed order pursuant to Local Rule 7.6.1, containing a statement as to the balance of the estate on hand, and the amounts to be distributed.</p>
Accounting	-		\$55,215.69															
Beginning POH	-		\$55,000.00															
Ending POH	-		\$45,392.50 (all cash)															
Administrator	-		\$2,148.63 (statutory)															
Administrator XO	-		\$3,300.00 (per itemization attached as Exhibit B, for 11.0 hours @ \$300/hour for court-confirmed sale of real property)															
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<input type="checkbox"/>	Citation																	
<input checked="" type="checkbox"/>	FTB Notice																	

Reviewed by: LEG
Reviewed on: 4/2/13
Updates:
Recommendation:
File 10 - Graham

Atty Alabart, Javier A. (for Petitioners Alfredo Banda Arriaga and Remedios Nieto Rodriguez, parents)
 Atty Fanucchi, Edward L. (for Respondent Maria Luisa Sanchez, purported spouse)
 Atty Kruthers, Heather H. (for Petitioner Public Administrator, Administrator of the Estate)

**Probate Status Hearing: Court's Ruling on Cross-Motions for Summary Judgment;
 Remaining Issues**

DOD: 5/14/2004	PUBLIC ADMINISTRATOR was appointed Administrator on 3/29/2006.	NEEDS/PROBLEMS/COMMENTS:
Cont. from 010313	Notes for Background:	
Aff.Sub.W	<ul style="list-style-type: none"> Decedent's 1997 California Will admitted to probate for administration on 3/27/2006 identified Decedent's parents, ALFREDO BANDA ARRIAGA and REMEDIOS NIETO RODRIGUEZ, parents as the only beneficiaries of Decedent's estate; Decedent's parents were initially to be distributed by <i>Order Settling First and Final Account and Report of Administrator and Allowing Ordinary Commissions and Fees and for Distribution</i> which was signed and filed on 3/12/2007 the assets from the Decedent's estate in the amount of \$189,958.21 at 50% to each; A woman named MARIA LUISA SANCHEZ, purported spouse, asserts that she is the rightful heir of the Decedent entitled to distribution of the entire estate of Decedent; Minute Order dated 11/5/2007 from the hearing on the <i>Petition for Reconsideration of First and Final Account</i> filed by Maria Luisa Sanchez states Decedent's estate should be distributed to Sanchez, as the Court stated that it previously granted Sanchez' <i>Petition for Reconsideration of First and Final Account</i> on 10/12/2007, and that the <i>Order on First and Final Account</i> filed 3/12/2007 distributing the estate to Decedent's parents is revoked. Court also approved a preliminary distribution to Sanchez in the amount of \$103,000.00 on 11/5/2007; the <i>Receipt of Distribution</i> signed by Attorney Fanucchi was filed with the Court on 12/12/2007; PUBLIC ADMINISTRATOR'S Amended First and Final Account filed on 2/29/2012 approved on 6/25/2012 states that after payment of commissions, fees and costs in the amount of \$19,643.43, there will be \$89,703.10 to distribute upon further Court order regarding entitlement to final distribution. 	This matter will be heard at 10:30 a.m. in Dept. 303
Verified		
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Citation		
FTB Notice		
	~Please see additional page~	
		Reviewed by: LEG
		Reviewed on: 4/3/13
		Updates:
		Recommendation:
		File 1 – Banda-Nieto

Order on Petitioners' Motion to Deem Admissions Admitted; Respondent's Motion in Limine; and Parties' Letter Memoranda Regarding Issues of Law filed 5/31/2012 states in pertinent part regarding the Motions for Summary Judgment:

- Petitioner Banda-Nieto shall file a motion for summary judgment seeking to establish that Sanchez' petition for reconsideration was untimely by reason of Probate Code § 8270(a). Sanchez shall oppose the motion;
- Sanchez shall file a motion for summary judgment seeking to establish the challenged orders are not void on their faces. Petitioner Banda-Nieto shall oppose the motion.

Order on Parties' Cross-Motions for Summary Judgment filed 2/25/2013 finds, in pertinent part, that the Motion for Summary Judgment brought by Ariaga is denied; the Motion for Summary Judgment brought by Sanchez is granted. Accordingly, it now appears to the Court that only one issue remains to be tried on Ariaga's *Petition to Vacate*: whether the subject orders were the result of extrinsic fraud.

Per the Order on Parties' Cross-Motions for Summary Judgment, the parties filed briefs on the subject of what issues, if any, remain to be tried after the Court's ruling, as follows:

- **Petitioner's Brief on Remaining Issues to be Tried After Ruling on Cross-Motions for Summary Judgment filed 3/13/2013 by Attorney Alabart for Alfredo Banda Arriaga states, in brief sum:**
 - The Court found in its Order on Cross-Motion that Respondent Sanchez' Motion for Reconsideration was not untimely because:
 1. A Will contest was time barred pursuant to Probate Code § 8270(a) by the **jurisdictional** [emphasis in original] 120 day period for a Will contest;
 2. It sought only revocation of the order on First and Final Account that distributed the estate to the Petitioner and his wife for the purpose of introducing additional evidence; and
 3. The arguing of new or different facts in the Memorandum of Points and Authorities in support of the Motion that Ms. Sanchez was the spouse, or even a putative spouse, and requesting a statutory share of the estate as a "pretermitted heir" is not a Will contest;
 - Mr. Arriaga presents that the issues that remain to be tried following the Court's Order are:
 1. Were the subject orders the result of extrinsic fraud;
 2. Did the Court lack jurisdiction to order a preliminary distribution to Ms. Sanchez; and
 3. What, if any, portion of the Decedent's estate is Ms. Sanchez entitled;

Extrinsic fraud and/or Mistake: Specific incidents of extrinsic fraud occurred in this case; whether these were negligent or intentional incidents, they had the effect of preventing and depriving the Petitioner of the opportunity to fully present his claim or defense to the Court, upon which he would have likely prevailed;

1. **Failure of Sanchez' Attorney to Provide Notice of the Court's 8/27/2007 Order.** The Minute Order dated 8/27/2007 does **not** [emphasis in original] specifically direct the Clerk of the Court to ensure that all persons entitled to notice receive a copy of the minute order. Pursuant to Probate Code § 1220(a), it is Ms. Sanchez' responsibility to provide notice; this is true even where the Court requires additional notice unless the Court specifies otherwise. Probate Code § 1221. As such, without specific language showing that the Court directed the Clerk of the Court to provide notice of the 8/27/2007 minute order, it was Ms. Sanchez' responsibility to provide notice to the Petitioner. Without the presumption of Evidence Code § 664, the 11/5/2007 order granting Ms. Sanchez' Motion for Reconsideration would be void on its face because proof of delivery of notice of the 8/27/2007 minute order is absent; as such, Mr. Arriaga's Petition to Vacate Prior Orders would have to be granted.

Petitioner's Brief on Remaining Issues to be Tried filed 3/13/2013, continued:

Extrinsic fraud and/or Mistake:

2. **Sanchez' Attorney's 11/5/2007 representation that the Court had previously specifically made a finding that the Mexico decree was the valid one:** The Order granting the Motion for Reconsideration signed on 10/12/2007 contains no language about determining the validity of any Mexico order or Will. Based upon misinformation given by Ms. Sanchez' attorney at the 11/5/2007 hearing that the Mexican decree was "recognized", the Court acquiesced and stated: **"All right, we want the minute order to reflect that the Court has granted the motion for reconsideration and has ruled that the Mexican decree is the valid one of the two, is that correct?"** [emphasis in original.] While the Court erroneously indicated, as noted in Mr. Arriaga's *Petition to Vacate Prior Orders*, that it made a finding that the Mexico decree is the valid one, the Court has never made any finding as to what the Mexican Court actually decreed or its validity pursuant to California law.
3. **The oral preliminary distribution request made in Court by Sanchez' attorney:** Sanchez never filed a petition with the Court seeking [preliminary] distribution [pursuant to Probate Code § 11623]; the request for a preliminary distribution was an oral request made in Court by Ms. Sanchez' attorney; such an oral request without appropriate notice was not a matter properly before the Court for determination.
4. **Ms. Sanchez' failure to provide the Mexican Court with the names and address of the Decedent's parents:** When Ms. Sanchez filed the petition for intestate estate administration with the Mexican Court, she knew of the Petitioner's existence and his relationship to the Decedent; Ms. Sanchez also knew the Petitioner's address because she had lived in his home (See *Declaration of A. Banda*; *Declaration of R. Nieto*.) Ms. Sanchez did not provide the Mexican Court with the Petitioner's name or address as required pursuant to Mexican law; instead, she misrepresented to the Mexican Court that she was the sole heir (See *Alleged Petition for Intestate Probate, Mexico*, attached as Exhibit 145 to Petitioner's *Request for Judicial Notice* No. 2.)
5. **Petitioner's reasonable excusable extrinsic mistake resulted in a failure to litigate and defend his claim:** Petitioner in his filed declaration specifically stated that he never received any notice of the proceedings in this matter; without receiving notice of the specific proceedings, Mr. Arriaga reasonably believed he was conclusively entitled to and would receive the money from his son's estate; Mr. Arriaga knew that he and his wife were the only named beneficiaries under the 1997 California Will executed by their son and that a proceeding had been commenced whereby they were to receive the money in California pursuant to that Will; they are not sophisticated or well-educated, and were not represented by an attorney of record in this matter as is being claimed by Ms. Sanchez. As evidenced by the Letter from Alfredo Banda to Mexican Consulate at Fresno dated 1/30/2009 (attached as Exhibit 6 to Sanchez' Opposition), the Petitioner reasonably, excusably, and mistakenly believed that no further action by he and his wife was necessary other than facilitating receipt of the money; had Petitioners received **any notice** of any of the **adversarial** proceedings [emphasis in original], they could have immediately taken steps to protect their interests before the orders were issued; this reasonable, mistaken belief prevented Petitioner from defending his rights.

Petitioner's Brief on Remaining Issues to be Tried filed 3/13/2013, continued:**The Court Lacked Jurisdiction to Order Preliminary Distribution to Sanchez:**

- The *Order on Parties' Cross-Motions for Summary Judgment* states: "However, it should be noted that the November 5, 2007 order could not exceed the prayer of the redistribution of the estate, the order of 10/22/2007 had already granted the motion for reconsideration." An issue to be determined is whether the Court in fact did exceed the prayer of the Motion for Reconsideration; and, if or when, was the Court moved for distribution?
- A review of the judgment roll would clearly demonstrate that at no time did Ms. Sanchez petition the Court for distribution; the request for preliminary distribution was an oral request made by Court by Ms. Sanchez' attorney; such an oral request was without appropriate notice was not a matter properly before the Court for determination, and might also be considered extrinsic fraud.

To What, if any, Portion of the Decedent's Estate is Sanchez Entitled?

- The *Order on Parties' Cross-Motions for Summary Judgment* determined that Ms. Sanchez has no right to the Decedent's estate under the alleged May 2004 Mexico Will; therefore, Ms. Sanchez' only right to recovery in this proceeding is by pleading and proving up her status and right to inherit as a pretermitted heir;
- Ms. Sanchez has the burden of proving her status and inheritance right as a pretermitted heir, which requires that she must first prove she is recognized in Mexico as a wife or a putative spouse before she can be recognized in California as a spouse or a putative spouse. To prove she was legally married in Mexico, Ms. Sanchez must have been married by the Civil Authority, and she admits she was aware of this requirement and that she and Decedent were not married before the Civil Authority;
- Ms. Sanchez has filed nothing establishing that Mexico recognizes the concept of putative spouses; Mexico **does not** [emphasis in original] recognize putative spouses. Because Mexico does not recognize putative spouses, Ms. Sanchez cannot claim she is a putative spouse under California law. While Mexico may recognize the inheritance rights of a concubine, California law does not, and because of this Ms. Sanchez has no status that would entitle her to any portion of the Decedent's estate as an heir of Juventino Banda Nieto, nor entitle her to inherit under the California Will. Therefore, she has no standing before this Court;
- Decedent's assets subject to the Court's jurisdiction in this matter were the separate property of Decedent; therefore, Ms. Sanchez's maximum right to inherit as a pretermitted heir, if proven under California law in this proceeding before this Court, is limited to ½ of Decedent's estate at most; considering that no fees were taken out of the portion preliminarily distributed, Ms. Sanchez has already received more than ½ of Decedent's estate assets; therefore, the Court should order that the remaining assets of the Decedent's estate be immediately distributed to Mr. Arriaga;
- As to the portion of the estate preliminarily distributed by this Court to Ms. Sanchez, the Court at a minimum should require Ms. Sanchez to return a portion of that preliminary distribution representing half of the Public Administrator's and half of the Public Administrator's Attorney's fees and commissions;
- Ms. Sanchez should also be required to post a bond equivalent to the amount of the preliminary distribution she received prior to any further litigation in this matter; any future order of distribution to Ms. Sanchez should be reduced by the proportionate share of the Public Administrator's and Public Administrator's Attorney's fees and commissions;

Petitioner's Brief on Remaining Issues to be Tried filed 3/13/2013, continued:

- In determining to what, if any, distribution Ms. Sanchez is entitled to in this matter, this Court must also necessarily decide to what extent, if any, the subsequent orders of the Mexico court are controlling.

Conclusion

The issues remaining to be tried after the *Order on Parties' Cross-Motions for Summary Judgment* depends in part on the extent the Order resolved issues in dispute in this matter; as such, several factual issues still remain to be determined; the Petitioner has attempted to the best of his knowledge and ability to identify all of the remaining issues that still must be determined in this matter; to that extent, the remaining issues for determination by this Court are: (1) the issues discussed above, and (2) those that must be necessarily decided to resolve the identified issues. Some of the issues identified and discussed require purely legal determinations, while others require purely factual determinations; and, in some instances, factual and legal determinations by this Court.

Status Conference Brief Following Decision of Motions for Summary Judgment filed 3/12/2013 by Attorney for Maria Luisa Sanchez states, in brief sum:

1. **The Sanchez Orders are not void as being the product of extrinsic fraud:** extrinsic fraud exists in situations where one party has fraudulently prevented another party from presenting their claim or defense in the action; a party must show he or she had a meritorious defense, which would have been raised but for the other party's wrongful conduct, and must also establish all of the elements of fraud, which include an intentional or reckless misrepresentation and justifiable reliance on the misrepresentation by the aggrieved party; Mr. Arriaga has not made, and cannot make, the required showing.
 - **The Sanchez Orders cannot be set aside on the ground of extrinsic fraud because Mr. Arriaga had notice of Ms. Sanchez' motion and was not prevented from opposing that motion:** As previously decided by the Court in its order on the parties' cross-motions for summary adjudication, Mr. Arriaga had actual notice of Ms. Sanchez' motion that resulted in the entry of the Sanchez Orders because they were served on him at the address conclusively determined to be his address for service by the Court's order admitting the Will to probate; Mr. Arriaga has presented no evidence that Ms. Sanchez did anything to prevent him from participating in this action or from opposing her Motion for Reconsideration if he wished to do so; there is simply no showing of extrinsic fraud which would provide a basis for setting aside the Sanchez Orders for lack of notice.
 - **Failure to serve notice of entry of the Sanchez Orders does not constitute extrinsic fraud:** The position taken by Mr. Arriaga is that he has never received any notice of any proceeding or order in this action; he does not contend or present any evidence suggesting that Ms. Sanchez made any misrepresentation to him, or that he relied on any misrepresentation made to him by Ms. Sanchez; Mr. Arriaga, has not alleged, and cannot show, that his not being served with notice of entry of the Sanchez Orders constitutes extrinsic fraud that would justify setting aside the orders.

~Please see additional page~

Status Conference Brief [of Sanchez] Following Decision of Motions for Summary Judgment filed 3/12/2013, continued:

- **The alleged presentation of false or incomplete evidence as the basis for the Sanchez Orders does not constitute extrinsic fraud:** A large portion of Mr. Arriaga's petition is provocative and inflammatory rhetoric aggrandizing his claim that the Sanchez Orders are the result of an intentional conspiracy, the intentional suppression or concealment of relevant evidence and presentation of false testimony and fraudulent documents to the Court by Ms. Sanchez and her attorneys, including Mr. Fanucchi; even assuming for the sake of argument that Mr. Arriaga's outrageous claim was true, and that the Sanchez Orders were based on false and incomplete evidence, the result is still that the Sanchez Orders may not be set aside and are conclusive and binding on Mr. Arriaga; a claim that an order is the result of presentation of false evidence in the proceeding which resulted in the order is a claim of intrinsic fraud – not extrinsic fraud – and will not support setting aside the order after it has become final; since Mr. Arriaga's claims of fraud and concealment constitute, at most, a charge of intrinsic fraud, they patently do not provide a legally sufficient basis to set aside the Sanchez Orders [*emphasis in original*].
- **Alleged legal error resulting in entry of the Sanchez Orders does not constitute extrinsic fraud:** Mr. Arriaga's petition also alleges that the Sanchez Orders are void because the Court did not correctly apply the applicable law; this allegation does not demonstrate extrinsic fraud and cannot be used to collaterally attack the Sanchez Orders; Mr. Arriaga's petition makes several allegations suggesting that the Sanchez Orders are the product of the Court's misapplication of the law; all of the allegations are impermissible collateral attacks on the Sanchez Orders based on alleged legal errors in the prior proceedings, and such alleged errors are intrinsic to the proceedings and the law expressly mandates that such attacks cannot be entertained or granted by the Court because the Sanchez Orders have been final for years;

2. **Conclusion:** The only issue of which Ms. Sanchez is aware as being left for resolution prior to disposing of Mr. Arriaga's petition is that identified by the Court – whether the Sanchez Orders may be set aside as being products of extrinsic fraud; the facts and law make it clear that this issue must be resolved against Mr. Arriaga and in favor of the validity of the Sanchez Orders. Mr. Arriaga's petition does not allege extrinsic fraud of any sort; rather, his petition alleges at most, examples of intrinsic fraud and legal error that will not support a collateral attack on the Sanchez Orders or any order by this Court setting aside the Sanchez Orders. Since Mr. Arriaga has at no time in this proceeding alleged, in his petition or any other filing, an example of extrinsic fraud that would support setting aside the Sanchez Orders, Ms. Sanchez respectfully requests the Court enter a judgment of dismissal in her favor.

11 **Angelina Tokina Pacheco (GUARD/P)**
 Atty Pacheco, Herminia (pro per Petitioner/maternal grandmother)
 Atty Maldonado, Michelle (pro per Objector)

Case No. 13CEPR00097

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 7 years DOB: 9/4/2005		TEMPORARY EXPIRES 4/9/2013		NEEDS/PROBLEMS/COMMENTS:	
		HERMINIA PACHECO , paternal grandmother, is petitioner.		1. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice on: a. Tonika Gonzalez (mother) – unless the court dispenses with notice. 2. Need proof of service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence on: a. Maternal grandparents	
		Father: ADAM V. PACHECO, Sr. – personally served on 2/13/13.			
		Mother: TOKINA GONZALEZ – Declaration of Due Diligence filed on 2/13/13.			
		Paternal grandfather: Ramon Ortiz Pacheco – Deceased.			
		Maternal grandfather: Unknown			
		Maternal grandmother: Unknown			
Cont. from		Petitioner states the father is currently in jail.			
	Aff.Sub.Wit.	Father left the child in the care of his girlfriend who is abusing drugs and alcohol.			
✓	Verified	Objections of Michelle Maldonado, step-mother, filed on 2/15/13. Objector states she believes that the grandmother is not capable of caring for the child. Objector states Herminia has epilepsy. She is also concerned that Ramon Pacheco is also living in the home.			
	Inventory	Objector states Ramon has threatened her life and is verbally abusive. Objector believes the only reason Herminia wants to have the minor is to receive money for her. Objector states she wants the minor to be in a home where she is taken care of properly and where she is the number one priority.			
	PTC				
	Not.Cred.				
✓	Notice of Hrg				
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	9202				
✓	Order				
	Aff. Posting				
	Status Rpt				
✓	UCCJEA				
	Citation				
	FTB Notice				
				Reviewed by: KT	
				Reviewed on: 4/3/13	
				Updates:	
				Recommendation:	
				File 11 - Pacheco	

Petition for Appointment of Guardian of the Person (Prob. C. 1510)

Age: 10 years		<u>TEMPORARY EXPIRES 4/9/13</u>		NEEDS/PROBLEMS/ COMMENTS:	
		ALEXANDRA FIGUEROA , step-mother, is petitioner.		<p>1. Need proof of personal service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence for:</p> <p>a. Jamal Easter (father)</p> <p>2. Need proof of service of the Notice of Hearing along with a copy of the Petition or Consent and Waiver of Notice or Declaration of Due Diligence for:</p> <p>a. Paternal grandmother</p> <p>b. Maternal grandfather</p>	
		Father: JAMAL EASTER			
		Mother: TRICIA STILES – personally served on 2/19/13.			
		Paternal grandfather: Deceased.			
		Paternal grandmother: unknown			
		Maternal grandfather: unknown			
		Maternal grandmother: Bernice Stiles – personally served on 3/11/13.			
Cont. from		Petitioner states the father has never been involved and chooses not to be. The mother is a drug abuser and is in no condition to physically or mentally care for the child. Petitioner states she has helped care for and been in the child's life since he was 3 months old.			
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<input type="checkbox"/>	FTB Notice				
				Reviewed by: KT	
				Reviewed on: 4/3/12	
				Updates:	
				Recommendation:	
				File 12 – Davis-Easter	

Pro Per

Gaitan, Vera Rodriguez (Pro Per Petitioner, maternal grandmother)

**Petition for Appointment of Temporary Guardian of the Person
(Prob. C. 2250)**

Nevada Age: 7 yrs		<p align="center"><u>General Hearing set for 5/28/2013</u></p> <p>VERA RODRIQUEZ GAITAN, maternal grandmother, is Petitioner.</p> <p>Father of Nevada: ISMAEL VELASCO Father of Electra: BRIAN S. ACEVEDO</p> <p>Mother: NEVADA TARA RODRIQUEZ; <i>consents and waives notice.</i></p> <p>Paternal grandparents of Nevada: Unknown. Paternal grandparents of Electra: <i>Not provided.</i></p> <p>Maternal grandfather: Richard P. Rodriguez</p> <p>Petitioner states the children have been living with her since 2008, and the mother comes and goes from the children's life. Petitioner states the mother has a drug problem and has been homeless on and off for the past 10 years. Petitioner states it is in the best interest of the children that they be protected from the mother due to her abuse of drugs and being homeless living out on the street.</p> <p>Petitioner requests to be excused from giving notice to the father of Nevada (Ismael Velasco) as he was deported in 2008 to Mexico and she has no information about him; and to the father of Electra (Brian Acevedo) because he was just released from Soledad State Prison and his whereabouts are unknown.</p>	<p>NEEDS/PROBLEMS/COMMENTS:</p> <ol style="list-style-type: none"> If Court does not excuse notice as Petitioner requests, need <i>Notice of Hearing</i> and proof of five (5) court days' notice by personal service of the <i>Notice of Hearing</i> with a copy of the <i>Petition for Appointment of Temporary Guardian</i>, or <i>Consent to Appointment of Guardian and Waiver of Notice</i>, or a <i>Declaration of Due Diligence</i>, for: <ul style="list-style-type: none"> Ismael Velasco, father of Nevada; Brian S. Acevedo, father of Electra. Need <i>Guardianship Petition – Child Information Attachment</i> (form GC-210) for Electra Acevedo. Item 6 of <i>Confidential Guardian Screening</i> form filed on 3/25/2013 is incomplete re: social worker or parole or probation officer. 	
Electra Age: 6 yrs				
Cont. from				
<input type="checkbox"/>	Aff.Sub.Wit.			
✓	Verified			
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<input type="checkbox"/>	9202			
✓	Order			
✓	Letters			
<input type="checkbox"/>	Status Rpt			
✓	UCCJEA			
<input type="checkbox"/>	Citation			
<input type="checkbox"/>	FTB Notice			

Age: 4 months		<u>TEMPORARY EXPIRES 4/9/13</u>		NEEDS/PROBLEMS/COMMENTS:
		<u>GENERAL HEARING 5/29/13</u>		1. Need Notice of Hearing. 2. Need proof of personal service of the Notice of Hearing along with a copy of the temporary petition or Consent and Waiver of Notice or Declaration of Due Diligence for: a. Michael James Fields, Jr. (father) b. Nicole Lee Wiggins (mother)
Cont. from		LAVONNE REA WIGGIN , maternal grandmother, is petitioner.		
	Aff.Sub.Wit.		Father: MICHAEL JAMES FIELDS, JR.	
✓	Verified		Mother: NICOLE LEE WIGGIN	
	Inventory		Paternal grandfather: Michael James Fields	
	PTC		Paternal grandmother: Christina Marberry	
	Not.Cred.		Maternal grandfather: Frederick Carl Wiggin	
	Notice of Hrg	X	Petitioner states the parents are both juveniles. They are both frequently engaged in domestic fights. The police have been out several times. Petitioner states she has been caring for the minor since his birth. Mom is now threatening to run off and live with the father. CPS has removed the younger brother and sister of the father because the home is unfit for small children to be in. Father also has a drug and alcohol problem.	
	Aff.Mail			
	Aff.Pub.			
	Sp.Ntc.			
	Pers.Serv.	X		
✓	Conf. Screen			
	Letters			
✓	Duties/Supp			
	Objections			
	Video Receipt			
	CI Report			
	9202			
	Order			
	Aff. Posting			
	Status Rpt			
✓	UCCJEA			
	Citation			
	FTB Notice			
				Reviewed by: KT
				Reviewed on: 4/3/13
				Updates:
				Recommendation:
				File 14 - Fields